

IN RE:
CARLOS OMAR RIVERA GONZALEZ

CASE NO. 12-07512-ESL

CHAPTER 13

DEBTOR (S)

**TRUSTEE'S UNFAVORABLE REPORT
ON PROPOSED PLAN CONFIRMATION UNDER §1325**

TO THE HONORABLE COURT: NOW COMES, José R. Carrión, Chapter 13 Trustee, and very respectfully alleges and prays:

This is the Trustee's position regarding the request, under **11 U.S.C. §1325**, for the confirmation of a Chapter 13 Plan.

Debtor(s)' Income: **Above Median / 60 months commitment period.** Gen Unsecured Pool: **\$0.00**

The **LIQUIDATION VALUE** of the estate has been determined in **\$0 R2016 STM. \$3,000.00**

TOTAL ATTORNEYS FEES THRU PLAN: \$2,861.00 Fees paid: \$0.00 Fees Outstanding: \$2,861.00
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With respect to the proposed (amended) Plan dated: **January 14, 2014** (Dkt 48). Plan Base: **9,000.00**

The proposed (amended) plan can not be confirmed because it has the following deficiencies:

- Feasibility [§1325(a)(5)]: Plan fails to provide for an allowed secured claim.

Plan does not provide for the payment of secured arrears to Doral Bank in the amount of \$9,630.40 (Claim 9). Debtor has requested permission to participate in a loss mitigation procedure with said entity (Docket 49). Feasibility of plan depends on the outcome of such loss mitigation procedure.

Due to the above described deficiencies in the proposed plan the Trustee Objects to the Confirmation of the same.

CERTIFICATE OF SERVICE: The Chapter 13 Trustee herewith certifies that a copy of this motion has been served via first class mail on the same date it is filed to: the DEBTOR(s), and to her/his/their attorney through CM-ECF notification system.

In San Juan, Puerto Rico this January 24, 2014.

/s/ Alexandra Rodriguez -Staff Attorney

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